

WHAT YOU SHOULD KNOW ABOUT COLLECTING ON YOUR SMALL CLAIMS JUDGMENT – MILWAUKEE COUNTY

A small claims judgment does not mean that you will automatically receive your money. The court does not collect your judgment for you. If the debtor (the person you sued) does not agree to pay you voluntarily, it is up to you to take the next steps to try to collect your judgment. These are some steps that you can take.

1. **Docketing the judgment** – You can “docket” the judgment by taking the case file to **Room 104** and paying a \$5.00 docketing fee. This gives you a lien against any real estate owned by the judgment debtor in Milwaukee County for 10 years.
2. **Sending a Financial Disclosure Form** – You can obtain a Financial Disclosure Form in **Room 400 (or the Milwaukee Justice Center)** and send it to the debtor via certified mail. The debtor is supposed to fill it out and return it to you within 15 days after judgment is entered. The information on this form may help you decide whether the debtor has anything to garnish (wages, bank account, etc.). If the debtor does not return the form, you can come back to **Room 400** to fill out a form to request a contempt hearing.
3. **Garnishing Wages** – If you know where the debtor is working, you may be able to garnish his/her wages. There are situations, however, in which a person’s wages cannot be garnished, such as, for example, if the person receives public benefits or if the person’s wages are already being garnished. Earnings Garnishment forms are available in **Room 104**. The filing fee for a Small Claims Earnings Garnishment is \$97.00 (See §814 Wis. Stats.)
4. **Garnishing Bank Accounts** – If you know where the debtor has a bank account, you may be able to have money in the bank account garnished. There are situations, however, in which money in a bank account cannot be garnished, such as if the money came from public benefits. Non-Earnings Garnishment forms are available in **Room 104**. The filing fee for a Small Claims Non-Earnings Garnishment is \$97.00. (See §814 Wis. Stats.)

If you have more questions about these collection procedures, please feel free to come to Brief Legal Advice Clinics at the Milwaukee Justice Center on Thursday or Friday from 2:00- 4:00. Or any other Marquette Brief Legal Advice Clinic. Hours and locations can be found at: <http://law.marquette.edu/mvlc>.

COPIES CAN BE MADE IN ROOM G10-I.



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